

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussions, is respectfully requested.

Claims 1-30 are currently pending in the application. No claims have been amended, canceled or added herewith.

In the outstanding Office Action, Claims 1-10, 14, 17-23, 29 and 30 were rejected under obviousness-type double patenting as being unpatentable over Claims 1-10, 14, 15-21, 22 and 23 of U.S. Patent no. 6,421,608; and Claims 11-13, 15, 16 and 24-28 were rejected under obviousness-type double patenting as being unpatentable over Claim 1 of U.S. Patent No. 6,421,608.

In response to the rejection of Claims 1-30 under the judicially created doctrine of double patenting, Applicant herewith files a terminal disclaimer in compliance with 37 C.F.R. § 1.321 thereby overcoming the rejection. For the record, Applicant notes that the “filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits of the rejection.”¹

Paragraph [0024] of the specification was amended to correct a minor typographical error.

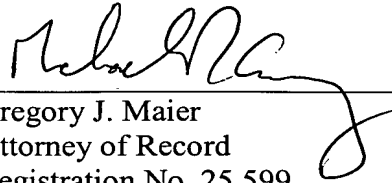
¹ Quad Environmental Technologies Corp. v. Union Sanitary District, 946 F.2d 870, 874, 20 USPQ2d 1392, 1394-5 (Fed. Cir. 1991).

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Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome and in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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